

# TRUST MATTERS



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## Fractionation Update

The proposed *Cobell* settlement agreement addresses fractionated land interests by providing a \$2 billion fund to consolidate lands. The agreement states the Department of the Interior will distribute the fund in accordance with the Land Consolidation Program and other applicable legislation and provisions of the agreement. The Department is committed to consulting with tribes on the implementation of this portion of the proposed settlement.

The agreement also contains a formula for contributions from the Trust Land Consolidation Fund to be allocated to an Indian Education Scholarship Holding Fund.

A copy of the proposed settlement is posted at [www.doi.gov/ost](http://www.doi.gov/ost). Click on the “Cobell Settlement” link at the top of the page. Or visit [www.cobellsttlement.com](http://www.cobellsttlement.com) and click on the “Key Documents” link.



## BIG MONEY

Whereabouts Unknown (WAU) is the term used for an Individual Indian Money (IIM) account whose owner's current address information is not available to the Office of the Special Trustee for American Indians (OST). Some WAU accounts have thousands of dollars just waiting for account owners!

Two account holders were glad they stopped by the OST outreach booth at an American Indian festival in August 2009. When the account holders updated their address information, they found that one account held

more than **\$14,000** and the other had a balance over **\$6,000**.

To find out if you have a WAU account, go to the OST website at [www.doi.gov/ost/wau](http://www.doi.gov/ost/wau). Each of the listed names represents an account, which may contain money for the account owner. However, some accounts have only land ownership interests. The Trust Beneficiary Call Center (TBCC) is another source to check. Call the TBCC, toll free, at 1-888-678-6836 Monday through Friday from 7 a.m. to 6 p.m. and Saturday from 8 a.m. to noon, Mountain time.

## Indian Wills Clinic Established in Oklahoma

**T**he newly established Jodi Marquette Indian Wills Clinic exists because a few people, encouraged by Fiduciary Trust Officer (FTO) Henry Ware (Concho Agency), saw an ongoing need and worked to find a solution. An anonymous donor has provided the monetary means to operate the clinic for at least three years.

The effort that eventually led to the clinic started in the fall of 2008. A series of nine sessions were held to help American Indians in Oklahoma prepare their wills. The Oklahoma Bar Foundation funded the project, which paired Oklahoma City University (OCU) Law School students with American Indians who needed will preparation services. The third-year students were overseen by Casey R. Ross-Petherick, Director of the Native American Resource Center of the law school. The sessions took place in Anadarko Agency, Concho Agency and Southern Plains Region locations.

The clinic, under the direction of Ross-Petherick, will begin by serving urban Indians in Oklahoma City, Oklahoma. Off-site visits to tribal offices will be scheduled in subsequent semesters. In addition to will services, other estate planning will be offered. Appointments at the wills clinic are limited to Indian trust landowners who are Oklahoma residents, due to attorney licensing issues. However, the curriculum

developed by the Oklahoma City University Law School could be duplicated in other states that have public or private law schools. The bigger vision is that the solution will expand beyond Oklahoma.

For information about the clinic, contact the OCU Native American Legal Resources Center at 405-208-5017 or your local Fiduciary Trust Officer. Locate your FTO at [www.doi.gov/ost/fto](http://www.doi.gov/ost/fto).



Pictured left to right: Robin Phillips, Southern Plains Region FTO; Stephen Coit, Pawnee Agency FTO; Casey Ross-Petherick, Director of the OCU Law School Native American Resource Center; Henry Ware, Concho Agency FTO; Mitchell Stephens, Anadarko Agency FTO, at the January kick-off planning meeting.



## White House Requires Consultation Plan of Action from Each Agency

In November 2009, President Obama instructed each federal agency that works with Indian nations to submit a detailed plan of actions to implement the policies and directives of Executive Order 13175 (November 6, 2000). The purpose of the Order is “to establish regular and meaningful consultation and collaboration with tribal officials in the development of [f]ederal policies that have tribal implications, to strengthen the United States government-to-government relationships with Indian tribes, and to

reduce the imposition of unfunded mandates upon Indian tribes....”

Later that month, Department of the Interior (DOI) Secretary Salazar launched the effort to develop a Department-wide policy on tribal consultation. Seven consultation sessions were held between December 2, 2009, and January 14, 2010, in cities throughout the country. Personnel from the Office of the Special Trustee for American Indians participated in every session. During the sessions, tribal leaders offered recommendations on ways to improve the consultation process.

On January 20, 2010, Tracie Stevens, Senior Advisor to DOI's Assistant Secretary of Indian Affairs (AS-IA), briefed tribal leaders who attended the Self-Governance Advisory Committee meeting in Washington, D.C. She emphasized that DOI's initial detailed plan of actions was being developed and that there may be further consultations with tribal leaders after the plan of actions has been submitted to OMB. For more information, please contact Lee Fraizer, OST External Affairs, at 202-208-7587.



## OST FY 2011 Budget Request

On February 1, 2010, at a press conference of the Department of the Interior, the President's fiscal year 2011 budget request was released. The Office of the Special Trustee for American Indians (OST) budget request for fiscal year 2011 is \$160.2 million, which reflects a decrease of \$25.8 million below the enacted fiscal year 2010 budget.

Due to the proposed Cobell settlement, the budget includes a decrease of \$25 million for Individual Indian Money accounting work performed by the Office of Historical Trust Accounting (OHTA). OHTA will still perform tribal accounting for 95 pending tribal cases, which involve 116 tribes, and work on pre-calendar year 2003 special deposit accounts.

Other decreases in the budget request include:

- \$1.5 million as a result of in-sourcing



records indexing and completion of the historical record indexing project

- \$1 million as a result of the Data Quality and Integrity post-conversion clean up, which is nearing completion
- \$60,000 from implementing and automating one-time disbursement process
- \$50,000 from cost savings by providing disbursements to trust beneficiaries via the debit card program

In addition, President Obama established the SAVE Award program to challenge federal employees to submit ideas that will yield savings and improve government operations. OST anticipates it will realize savings from implementing SAVE award proposals in three areas:

- \$190,000 from consolidation of systems, including email, servers, data centers and help desks within the Department
- \$107,000 through the expansion of strategic sourcing of acquisitions, beyond its current use for software and hardware acquisitions
- \$35,000 reduced travel expenditures due to expanded implementation of technologies such as videoconferencing, teleconferencing, shared websites and other technologies that enable real-time communications and shared access to documents

A few increases are included in the overall budget request, including \$800,000 for the trust services probate workload.

The requested funding level will enable OST to support American Indian communities by providing accurate and responsive fiduciary trust services to individual Indians and tribal trust beneficiaries. To view the budget request document, go to [www.doi.gov/ost](http://www.doi.gov/ost), click on the Quick Access Links at the top of the left navigation column and select "Budgets."



### Understanding the Indian Trust

How is the Indian trust unique in the world of trusts? How do the Office of the Special Trustee for American Indians (OST) and the Bureau of Indian Affairs (BIA) work together to manage your trust assets? Receive training that will bring you up to speed on how the government handles the Indian trust.

OST's Office of Trust Training offers classes such as *Trust Fundamentals* and training on the Trust Funds Accounting System. These classes, the same as those attended by OST and BIA employees, are offered to employees of self-governance and self-determination tribes that perform trust functions. To learn about course curricula, who should attend classes and logistics of holding classes at your location, call 505-816-1023.

# Money Wisdom in Indian Country

The Fiduciary Trust Officer (FTO) at the Standing Rock Agency is a member of the Financial Education Awareness Team (FEAT), which is promoting *Maszaska Woksape* (money wisdom) concepts to students at Sitting Bull College and to members of the local community. On January 21, 2010, a short FEAT segment was introduced on the KLND radio program hosted by the college's student services director. Every other week, a FEAT member will present a segment about financial skills. Also, the program includes a weekly financial literacy question for audience members to research. The answer is revealed during the following week's show. The program is broadcast to both the Standing Rock



and Cheyenne River Reservations, which cover almost 5.2 million acres in North and South Dakota.

FEAT is just one of many efforts the Office of the Special Trustee for American Indians (OST) FTOs are supporting to enhance financial skills in Indian country. There are adult education classes and high school programs being offered in conjunction with numerous tribes.

FTOs have taken the First Nations Development Institute (FNDI) and Oweesta *Building Native Communities* training so they can present financial skills training in a culturally sensitive way.

Financial literacy is critically important to the country's economic recovery and success. It is championed by the President's Advisory Council on Financial Literacy.

Contact your FTO to arrange financial skills training programs or to participate in classes. Locate your FTO at [www.doi.gov/ost/fto](http://www.doi.gov/ost/fto).

## Speaking of Money...

The Chase debit card is a safe, convenient way to receive disbursements to your IIM account. Contact your FTO for more information and to sign up or ask about the direct deposit option.

Look for this image, which is part of OST's debit card campaign.

